



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 99,089)

In re the Application of:)
Mark O. Vogel)
Serial No.: 09/318,460) Group Art Unit 2666
Filed: May 25, 1999) Examiner: Melanie Jagannathan
For: METHOD FOR DYNAMIC) Confirmation No. 1443
PERFORMANCE)
OPTIMIZATION IN A)
DATA-OVER-CABLE SYSTEM)

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Technology Center 2600

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Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO OFFICE ACTION MAILED APRIL 13, 2004

Dear Sir:

In response to the Office Action of April 13, 2004, Applicant submits the following amendments, remarks and arguments.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 12 of this paper.

07/21/2004 HAL111 00000022 09318460

258.00 OP
144.00 OP

01 FC:1201
02 FC:1202